

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of K.L.P. and K.S.D., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ERICA LATRICE DARRINGTON,

Respondent-Appellant,

and

RODERICK POPE and DARNELL DANIELS,

Respondents.

UNPUBLISHED

August 2, 2002

No. 238074

Wayne Circuit Court

Family Division

LC No. 98-373400

Before: Murray, P.J., and Sawyer and Zahra, JJ.

MEMORANDUM.

Respondent Erica Darrington appeals by delayed leave granted the order terminating her parental rights to her children. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The court took temporary custody of the children after it found that respondent was leaving them in the care of a mentally ill grandmother. The parties entered into a parent/agency agreement that required respondent to maintain a drug-free lifestyle, submit to assessment and treatment, submit to random drug screens, complete parenting classes, obtain suitable housing, maintain a legal source of income, submit to a clinical evaluation and visit the children regularly. After a series of dispositional review hearings and a permanent custody hearing, the court terminated respondent's parental rights under MCL 712A.19b(3)(c)(i), (g), and (j).

Under MCL 712A.19b(3), the petitioner for the termination of parental rights bears the burden of proving at least one ground for termination. *In re Trejo Minors*, 462 Mich 341; 612 NW2d 407 (2000). Once the petitioner has presented clear and convincing evidence that persuades the court that a ground for termination is established, termination of parental rights is

mandatory unless the court finds that termination is clearly not in the child's best interests. *Id.*, 355-356. Decisions terminating parental rights are reviewed for clear error. *Id.*, 356.

There is clear and convincing evidence to support the termination of respondent's parental rights. Respondent failed to comply with the parent/agency agreement, and there was no indication that she would be able to rectify conditions or provide proper care and custody within a reasonable time. Under the circumstances, there is a reasonable likelihood that the children would be harmed if they were returned to respondent's care. Respondent offered no evidence to show that termination would not be in the best interests of the children.

Affirmed.

/s/ Christopher M. Murray
/s/ David H. Sawyer
/s/ Brian K. Zahra